



PROB 12B (Rev. 08/18)				SUPERVISION REPORT REQUEST FOR MODIFYING THE CONDITIONS OR TERM OF SUPERVISION WITH THE CONSENT OF THE OFFENDER (Probation Form 49, Waiver of Hearing is Attached)		U. S. Probation Office Eastern District of Michigan		PACTS 5917263		DATE 12/03/2020	
NAME LIN, Shui Ying				OFFICER Mary Whitt		JUDGE Laurie J. Michelson				DOCKET # 20-CR-20182-01	
ORIGINAL SENTENCE DATE 09/12/2019 COMMENCED 09/12/2019 EXPIRATION 09/11/2021		SUPERVISION TYPE Probation		CRIMINAL HISTORY CATEGORY I		TOTAL OFFENSE LEVEL 13		PHOTO 			
REPORT PURPOSE REQUEST TO MODIFY CONDITIONS											
RECOMMENDATION MODIFICATION											
ORIGINAL OFFENSE 18 U.S.C. §2342, Trafficking in Contraband Cigarettes											
SENTENCE DISPOSITION Probation for a term of 2 years, with eight months home detention and location monitoring.											
Name of Sentencing Judicial Officer: Honorable Jesse. M. Furman, Southern District of New York. Jurisdiction accepted by the Honorable Laurie J. Michelson on March 31, 2020.											
ORIGINAL SPECIAL CONDITIONS <ol style="list-style-type: none"> The defendant shall comply with the conditions of Location Monitoring for a period of eight (8) months, which program may include electronic monitoring or voice identification. During this time, she will remain at your place of residence except for employment and other activities, as approved by her probation officer. She will maintain a telephone at her place of residence without call forwarding, a modem, caller ID, or call waiting for the above period; portable cordless telephones are not permitted. Location Monitoring shall commence on a date to be determined by the probation officer. Should a term of Location Monitoring be imposed, the defendant shall pay the costs of Location Monitoring on a self-payment or co-payment basis as directed by the probation officer. The defendant shall obey the immigration laws and comply with the directives of immigration authorities. The defendant shall submit her person, residence, place of business, vehicle, or electronic communications under his control to a search on the basis that the probation officer has reasonable belief that contraband or evidence of a violation of the conditions of the released may be found. The search must be conducted at a reasonable time and in a reasonable manner. Failure to submit to a search may be grounds for revocation of release. The defendant shall inform any other occupants that the premises may be subject to searches pursuant to this condition. The defendant shall provide her probation officer with access to any requested financial information unless defendant has satisfied her financial obligations. 											

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<p>5. The defendant shall not incur any new credit charges or open additional lines of credit without the approval of the probation officer, unless the defendant has satisfied her financial obligations.</p> <p>6. The defendant shall be supervised by the district of residence.</p> <p>Criminal Monetary Penalty: Special Assessment \$100.00 (Paid), Restitution \$259,841.27 (Balance: \$256,366.27).</p>					
PETITIONING THE COURT					
To modify the condition(s) of probation as follows:					
<p>To modify mandatory condition: “THE ABOVE DRUG TESTING CONDITION IS SUSPENDED, BASED ON THE COURT’S DETERMINATION THAT YOU POSE A LOW RISK OF FUTURE SUBSTANCE ABUSE”.</p> <p>As this modification is of benefit to LIN, she was not asked to sign a Probation Form 49, Waiver of Hearing to Modify Conditions of Probation.</p>					
CAUSE					
<p>LIN began her term of supervision in the Eastern District of Michigan on September 12, 2019. LIN immediately completed eight months of Location Monitoring with no violations. She follows all directives of her probation officer. LIN resides in Canton, Michigan, with her husband and children. LIN maintains full-time employment with Dynasty Chinese Restaurant located in Livonia, Michigan. Prior to Your Honor accepting jurisdiction of the case, LIN failed to make any restitution payments until February 2020. Her sentencing judge was notified of her financial default and financial hardship. LIN’s husband and codefendant was imprisoned at the time, which forced LIN to cover the family’s bills and expenses alone. Since February 2020, LIN faithfully made restitution payments of \$375 per month and has remained compliant. Her last payment of \$375 was received on November 16, 2020.</p> <p>LIN has been assessed as a low-risk client per the Post-Conviction Risk Assessment (PCRA) tool. Per PCRA, “Offenders in this category have a 3% arrest rate and a < 1% revocation rate in the next 6 months.” As a result of her risk level, she was placed on a “Low Intensity Supervision” caseload requiring minimal supervision. These cases do not require field work unless there is a change in circumstances and report monthly via a written or electronic form. This ensures officers have more opportunity to monitor and provide the appropriate resources and interventions to our more high-risk cases. With the impact of COVID-19 in the Eastern District of Michigan, field work for probation officers has been significantly restricted. As noted in her presentence report, LIN has no history of use or abuse of alcohol or drugs. She therefore poses little risk of future substance abuse. A urine specimen was collected at her initial meeting with probation on September 19, 2019, and was negative for all substances. For these reasons, it is respectfully recommended that LIN’s conditions of supervision be modified.</p>					

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<p>A criminal record check completed through Access to Law Enforcement Systems (ATLAS) conducted on December 1, 2020, revealed no new criminal activity.</p> <p>If your Honor agrees with this recommendation, please indicate below and return this correspondence to the probation department. If your Honor does not agree, please indicate below and direct the probation department as to how the Court wishes to proceed.</p> <p>Should your Honor have any questions or concerns, this writer may be reached at the number below.</p>									
PROBATION OFFICER s/Mary Whitt/jdj (313) 234-5423					DISTRIBUTION Court				
SUPERVISING PROBATION OFFICER s/Steven M. Ely (313) 234-5583					PROBATION ROUTING Data Entry				
<p>THE COURT ORDERS:</p> <p>[X] Modification as Noted Above</p> <p>[] Other</p> <div style="text-align: right; margin-top: 100px;"> <u>s/Laurie J. Michelson</u> United States District Judge <u>12/8/2020</u> Date </div>									